

Application No. 10/662,007
Amdt. Dated: May 11, 2007
Reply to Office Action Dated: April 30, 2007
Customer No.: 26675

REMARKS/ARGUMENTS

The Examiner is thanked for the Office Action dated April 30, 2007, as well as the telephone discussion on May 8, 2007 where amendments to the claims were discussed. The status of the application is as follows:

- Claims 1-13, 15-31, and 34-35 are currently pending in the subject application and are presently under consideration. Claims 25-30 have been cancelled herein, and independent claims 1, 5, 11, 22, 23, and 31 have been amended in accordance with a conversation with the Examiner.
- Claims 1-10 and 22-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zenchelsky, *et al.* (US 6,173,364) in view of Spinney, *et al.* (US 6,226,267).
- Claims 11-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hughes, *et al.* (US 5,842,040) in view of Spinney, *et al.* and further in view of Zaumen, *et al.* (US 6,118,760).
- Claims 16-21 stand rejected under 35 U.S.C. §103(a) as being upatentable over Hughes, *et al.*, Spinney, *et al.*, and Zaumen, *et al.* in view of Bass, *et al.* (US 6,460,120).
- Claim 30 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Zenchelsky, *et al.* in view of Spinney, *et al.* and further in view of Li (US 6,754,662).
- Claims 31-35 stand rejected under 35 U.S.C. §103(a) as being unpatntable over Hughes, *et al.* in view of "Filters to Protect, Filters to Protect", hereinafter referred to as "Filters".

The Rejection of Claims 1-10, and 22-29 Under 35 U.S.C. §103(a)

Claims 1-10, and 22-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zenchelsky, *et al.* in view of Spinney, *et al.* Independent claims 1, 5,

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22, and 23 (from which claims 1-4, 6-10, and 24-29 respectfully depend) have been amended in accordance with a conversation with the Examiner, where it was agreed that the cited references fail to teach or suggest *using an expiration timer to age the memory, wherein the expiration timer corresponds to an expected burst interval of packets identified as being frequent flyer packets* as required by claim 22 (claims 1, 5, and 23 recite similar aspects). Accordingly, withdrawal of this rejection is respectfully requested.

It is to be noted that Applicants are not conceding in this application that claims 1, 5, 22, and 23 are not patentable over the art cited by the Examiner, as the present claim amendments are only for facilitating expeditious prosecution of the subject matter that has been indicated as allowable by the examiner. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

The Rejection of Claims 11-15 Under 35 U.S.C. §103(a)

Claims 11-15 stand rejected as being unpatentable over Hughes, *et al.* in view of Spinney, *et al.* and further in view of Zaumen, *et al.* Independent claim 11 has been amended in accordance with the Examiner's suggestions, such that claim 11 requires *an expiration timer corresponds to an expected burst interval of data packets identified as frequent flyer packets*. Claims 12-15 depend from claim 11 – accordingly, this rejection should be withdrawn.

Again it is submitted that this amendment is not to be construed as a concession that the claims as originally filed are not allowable over the cited references. Accordingly, applicants respectfully reserve the right to pursue this claim in a continuation and/or divisional application.

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The Rejection of Claims 16-21 Under 35 U.S.C. §103(a)

Claims 16-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hughes, *et al.*, Spinney, *et al.*, and Zaumen, *et al.* in view of Bass, *et al.* Claims 16-21 depend from claim 11, and are believed to be allowable at least by virtue of their dependencies from such claim.

The Rejection of Claim 30 Under 35 U.S.C. §103(a)

Claim 30 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Zenchelsky, *et al.* in view of Spinney, *et al.* and further in view of Li. This rejection should be withdrawn, as claim 30 has been cancelled herein.

The Rejection of Claims 31-35 Under 35 U.S.C. §103(a)

Claims 31-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hughes, *et al.* in view of Filters. Claim 31 has been amended as suggested by the Examiner, such that claim 31 recites *updating contents of the cache at times that correspond to an expected burst interval of packets identified as frequency flyer packets*. This aspect is not taught or suggested by either of the cited references, and accordingly claim 31 is believed to be allowable. It is again noted that this amendment has been made to expedite allowance of this case, and is not a concession that the cited references teach or suggest claim 31 as previously presented. Claims 34 and 35 depend from claim 31, and are also believed to be allowable at least by virtue of this dependency.

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Conclusion

In view of the foregoing, it is submitted that claims 1-13, 15-24, 31, 34, and 35 distinguish patentably and non-obviously over the prior art of record. An early indication of allowability is earnestly solicited.

Respectfully submitted,
DRIGGS, HOGG & FRY CO., L.P.A.
CUSTOMER NO. 26675

A handwritten signature in cursive script, appearing to read "Michael J. Medley".

Michael J. Medley Reg. No. 57,058